

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PRODIGY FINANCE CM2017-1 DAC,

Plaintiff,

v.

PENHA CRISTINA BRAGA MARTINS,

Defendant.

CASE NO. C21-1601-JCC

ORDER

This matter comes before the Court on Plaintiff's motion for supplemental proceedings (Dkt. No. 16). For the reasons described below, the motion is GRANTED.

On March 2, 2022, the Court entered a default judgment of \$140,383.50 plus attorney fees and interest (Dkt. No. 15). Plaintiff avers that Defendant has not satisfied the judgment and, in fact, has "willfully ignored these proceedings." (Dkt. No. 16 at 2; *see* Dkt. No. 16-2 at 2.)

Moreover, Plaintiff believes Defendant has assets "within the State of Washington that are subject to the enforcement" of the judgment, but has "little specific information." (Dkt. No. 16 at 2.) It, therefore, seeks the Court's assistance in conducting discovery to support its collection efforts. (*Id.*) Plaintiff asks the Court to order that Defendant appear for a supplemental proceeding to testify as to Defendant's assets which may be applied to satisfy the judgment. (*Id.* at 3.)

1 The Federal Rules of Civil Procedure entitle judgment creditors to discovery to the extent
2 allowed by state law. *See* Fed. R. Civ. P. 69. Under Washington law, a court may order a
3 judgment debtor to appear at a specified time and place for examination. RCW 6.31.010.

4 Finding (a) good cause for a supplemental proceeding and (b) a lack of opposition by
5 Defendant,¹ it is hereby ORDERED that:

6 1. Defendant Penha Cristina Braga Martins must appear at the United States Federal
7 Courthouse, 700 Stewart Street, Seattle, WA 98101 before the aforementioned District Judge in
8 Courtroom 16206 on **August 16, 2022 at 9:00 a.m.** to be examined under oath concerning any
9 non-exempt property Defendant may have.

10 2. Plaintiff is awarded \$950.00 in attorney fees incurred in bringing the instant
11 motion.

12 3. Plaintiff is to ***personally serve*** notice of this Order on Defendant no less than 21
13 days prior to the supplemental proceeding.

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15 DATED this 27th day of June 2022.

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19 John C. Coughenour
20 UNITED STATES DISTRICT JUDGE
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26 ¹ “[I]f a party fails to file papers in opposition to a motion, such failure may be
considered by the court as an admission that the motion has merit.” LCR 7(b)(2).